

## **REMARKS**

Claims 1-6, and 8-20 are currently pending in this application. Claims 1-6, and 8-20 have been rejected. Claim 7 has been canceled. In view of foregoing amendments and following remarks, the Applicants request reconsideration of the rejections, and a notification of allowance of the Application.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §103(A)**

Claims 1-10, 12 and 15-20 are rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Rosenwald (US Patent No. 6,038,550) in view of Lipshutz (US Publication No. 2003/0120566) and further in view of Schultz (US Publication no. 2001/0056391). Applicant respectfully traverses.

Claim 1 recites, *inter alia*:

(a) setting balance determination times for the account, the balance determination times corresponding to ***a plurality of points in time within the span of a single day*** at which respective net account balances are to be used in an interest calculation for the account;

(b) ***determining the balances for the account for the balance determination times;***

Applicant argued in the previous response that Rosenwald does not disclose an intra-day interest calculation made using a "plurality of points in time within the span of a single day" as recited in Applicant's independent claims. In response, at page 17 of the Office Action, the Office states that Rosenwald discloses (column 1, line 67; column 2, line 1 and column 10, lines 51-52) an interest period, which can comprise a day, minutes or seconds.

Respectfully, the Examiner has made an incorrect inference from Rosenwald's disclosure. Rosenwald never states that interest period can be minutes or seconds. The citation to column 10, lines 51-52 is the only citation that specifically references any period of time, and it refers generally to a "date" attribute. Similarly Rosenwald's Figures, such as FIGS. 3, 4 and 5, only reveals a reference to a day. In the background of Rosenwald states in the background of his application:

Each day, month, quarter, and year-end, every account in an institution must be serviced in some way or another, if for no other reason than to accumulate **the day's** anticipated interest which has been earned but not yet credited. These processes are often time consuming and **must be completed for all accounts in an institution before the institution can open for business the next day.**

This is insufficient disclosure on which to reject the claims. For Rosenwald's purpose, it is sufficient to calculate interest once per day, not multiple times as claimed.

In contrast, Applicant's invention is directed to preventing a borrower essentially borrowing money without having to pay interest. As described at paragraph [0004] of Applicant's specification:

For example, suppose 10,000 currency units are withdrawn from a bank account at 8:00 A.M., the beginning of the bank's business day, leaving a negative balance for the account of -10,000 currency units. Then, suppose the 10,000 currency units are re-deposited in the account at 4:00 P.M., the end of the bank's business day, leaving a net balance on the account for the day of 0 (zero) currency units. If an interest calculation is only performed based on the net account balance at the end of the day, i.e., on an account balance of zero, the bank has, in effect, lent the withdrawer the 10,000 currency units for the day free of interest.

The cited art all suffer from the disadvantages noted here- by calculating interest on a daily basis, loans that last less than a day would not be assessed any interest charges.

Based on the above remarks, the applied prior art does not disclose or suggest the claimed features. Claim 1 defines over the applied prior art, and is allowable. Dependent claims 2-6 and 8 depend from claim 1 and are allowable as well.

Claim 9 recites, *inter alia*:

(c) receiving a specification of ***a plurality of points in time*** for determining corresponding account balances for use in calculating an interest on the bank account, wherein ***the points of time correspond to a plurality of times within a single day***,

(d) ***for each of the points in time***, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time;

Based on the above remarks made with respect to claim 1 above, the applied prior art does not disclose or suggest the claimed features. Claim 9 defines over the applied prior art, and is allowable. Dependent claims 10 and 11 depend from claim 9 and are allowable as well.

Claim 12 recites a system comprising, *inter alia*:

A processor coupled to the memory to execute the instructions, the instructions comprising:...

(c) receiving a specification of ***a plurality of points in time*** for determining corresponding account balances for use in calculating an interest on the bank account, wherein ***the points of time correspond to a plurality of times within a single day***;

(d) ***for each of the points in time***, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time;

Based on the above remarks made with respect to claim 1 above, the applied prior art does not disclose or suggest the claimed features. Claim 12 defines over the applied prior art, and is allowable. Dependent claims 13 and 14 depend from claim 12 and are allowable as well.

Claim 15 recites, *inter alia*, a system comprising:

a processor coupled to the memory to execute the instructions, ...the instructions comprising:

(a) setting balance determination times for the account, the balance determination times corresponding to ***a plurality of points in time within the span of a single day*** at which respective net account balances are to be used in an interest calculation for the account;

(b) ***determining the balances for the account for the balance determination times***;

For at least the same reasons as for claim 1, the applied prior art does not disclose or suggest the features claimed in claim 15. Claim 15 defines over the applied prior art, and is allowable. Dependent claims 16 and 17 depend from claim 15 and are allowable as well.

Claim 18 recites, *inter alia*, a computer readable medium comprising:

(a) setting balance determination times for the account, the balance determination times corresponding to ***a plurality of points in time within the span of a single day*** at which respective net account balances are to be used in an interest calculation for the account;

(b) ***determining the balances for the account for the balance determination times***;

For at least the same reasons as for claim 1, the applied prior art does not disclose or suggest the features claimed in claim 18. Claim 18 defines over the applied prior art, and is allowable. Dependent claim 19 depends from claim 18 and is allowable as well.

Claim 12 recites a computer readable medium comprising, *inter alia*:

(c) receiving a specification of ***a plurality of points in time*** for determining corresponding account balances for use in calculating an interest on the bank account, wherein ***the points of time correspond to a plurality of times within a single day***,

(d) ***for each of the points in time***, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time;

Based on the above remarks made with respect to claim 1 above, the applied prior art does not disclose or suggest the claimed features. Claim 20 defines over the applied prior art, and is allowable.

Claims 11 and 13-14 are rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Rosenwald (US Patent No. 6,038,550) in view of Lipshutz (US Publication No. 2003/0120566). Applicants respectfully traverse.

Claim 11 is dependent from claim 9. Claim 9 was rejected under the combination of Rosenwald (US Patent No. 6,038,550) in view of Lipshutz (US Publication No. 2003/0120566) and further in view of Schultz (US Publication no. 2001/0056391). The Office admits that Rosenwald does not disclose all of the features of claim 9 and that Lipschutz does not overcome that deficiency. See page 6 of the Office Action. Accordingly, claim 11 defines over the applied prior art.

Claims 13 and 14 are dependent from claim 12. Claim 12 was rejected under the combination of Rosenwald (US Patent No. 6,038,550) in view of Lipshutz (US Publication No. 2003/0120566) and further in view of Schultz (US Publication no. 2001/0056391). The Office admits that Rosenwald does not disclose all of the features of claim 12 and that Lipschutz does not overcome that deficiency. See page 6 of the Office Action. Accordingly, claims 13 and 14 define over the applied prior art, and are allowable.

### **CONCLUSION**

Applicant requests that the final rejections of claims 1-6, and 8-20 be withdrawn, and an indication of allowable subject matter be issued in response to this submission. Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600.

The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,



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